

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

IN THE MATTER OF THE SEARCH OF  
INFORMATION ASSOCIATED WITH  
COMPLAINT\_REGISTRAR@YAHOO.COM  
THAT IS STORED AT PREMISES  
CONTROLLED BY OATH HOLDINGS INC.

Case No. 1:21-mj-263-01-AJ

**Filed Under Seal – Level II**

**AFFIDAVIT IN SUPPORT OF  
AN APPLICATION FOR A SEARCH WARRANT**

I, Jason Rameaka, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I make this affidavit in support of an application for a search warrant for information associated with a certain account (complaint\_registrar@yahoo.com, the Subject Email Account) that is stored at premises controlled by Oath Holdings Inc., an email provider headquartered at 701 First Avenue, Sunnyvale, California. The information to be searched is described in the following paragraphs and in Attachment A. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require Oath Holdings Inc. to disclose to the government copies of the information (including the content of communications) further described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

2. I am a Special Agent with the United States Food and Drug Administration, Office of Criminal Investigation (“FDA/OCI”) and have been so employed since August of 2013. I was previously employed as a Special Agent with Criminal Investigation, Internal Revenue Service, United States Department of the Treasury, since April of 2000. I have

attended numerous federal agency sponsored training courses as well as courses at the Federal Law Enforcement Training Center focused on financial investigations, food and drug law, federal narcotics violations, money laundering, and various other topics. As a Special Agent with FDA/OCI, I am responsible for conducting criminal investigations involving violations of the Federal Food, Drug, and Cosmetic Act (“FDCA”), Title 21, United States Code, §§ 301, et seq., and other federal statutes enforced by the FDA. I am assigned to OCI’s Cybercrime Investigations Unit and familiar with the tactics, methods, and techniques of persons who unlawfully market and distribute drugs via internet websites, specifically about money laundering involving online pharmacy networks, and about “transaction laundering,” which is also known as “factoring” and is described in more detail below.

3. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant. While I have set forth all material information pertinent to the requested search warrant, the affidavit does not include all of my knowledge about this matter.

4. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of Title 21, United States Code, §§ 331(a), 331(d) (introduction or delivery for introduction of misbranded and unapproved new drugs into interstate commerce), and Title 18, United States Code, §§ 371, 1343, 1349, and 545 (conspiracy, wire fraud, and importation contrary to law), 1956(a)(2), and 1956(h) (money laundering and money laundering conspiracy) have been committed by Alex Dorogokupets and other known and unknown co-conspirators. There is also probable cause to search the information described in Attachment A for evidence, fruits, and instrumentalities of these crimes further described in Attachment B.

### **JURISDICTION**

5. This Court has jurisdiction to issue the requested warrant because it is “a court of competent jurisdiction” as defined by 18 U.S.C. § 2711. 18 U.S.C. §§ 2703(a), (b)(1)(A), & (c)(1)(A). Specifically, the Court is “a district court of the United States . . . that has jurisdiction over the offense being investigated.” 18 U.S.C. § 2711(3)(A)(i).

### **LEGAL BACKGROUND**

6. Under the FDCA, the term “drug” includes articles which are intended (1) for use in the diagnosis, cure, mitigation, treatment, or prevention of diseases in man or (2) to affect the structure or any function of the body of man. 21 U.S.C. § 321(g)(1)(B) and (C).

7. Under the FDCA, the term “new drug” includes any drug that is not generally recognized, among experts qualified by scientific training and experience to evaluate the safety and effectiveness of drugs, as safe and effective for use under the conditions prescribed, recommended, or suggested in the labeling thereof. 21 U.S.C. § 321(p)(1).

8. With limited exceptions not applicable here, unless the FDA has approved a new drug application or an abbreviated new drug application, drugs are “unapproved new drugs” and cannot lawfully be introduced or delivered for introduction into interstate commerce. 21 U.S.C. §§ 355(a). Under 21 U.S.C. § 331(d), it is illegal to introduce, or deliver for introduction, into interstate commerce any unapproved new drug, or to cause the introduction or delivery for introduction into interstate commerce of any unapproved new drug.

9. Under the FDCA, “interstate commerce” includes commerce between any State and any place outside of that State. 21 U.S.C. § 321(b).

10. Under the FDCA, certain drugs, because of their toxicity or other potential harmful effects, are not considered safe for use except under the supervision of a practitioner

licensed by law to administer such a drug. Those drugs, as well as drugs approved by FDA for use only under the supervision of a licensed practitioner, are known as prescription drugs. 21 U.S.C. § 353(b)(1).

11. Prescription drugs may be dispensed only upon the prescription of a licensed practitioner. 21 U.S.C. § 353(b)(1). Dispensing a prescription drug without the prescription of a licensed practitioner causes a drug to be “misbranded.” *Id.* Under 21 U.S.C. § 331(a), it is illegal to introduce or deliver for introduction into interstate commerce a misbranded drug, or to cause the introduction or delivery for introduction into interstate commerce of a misbranded drug.

12. The FDCA imposes strict-liability misdemeanor punishment for violations of 21 U.S.C. § 331(a) and 331(d). 21 U.S.C. § 333(a)(1); *United States v. Park*, 421 U.S. 658 (1975). The FDCA imposes felony punishment if the violation is committed with the “intent to defraud or mislead.” 21 U.S.C. § 333(a)(2).

13. The importation of prescription drugs into the United States is subject to laws and regulations administered by United States Customs and Border Protection, and the FDA. Among other things, a prescription drug may be lawfully imported into the United States only if it is approved by the FDA or exempt from approval. 21 U.S.C. §§ 355(a) and 331(d).

14. It is a crime for any person to fraudulently or knowingly import or bring into the United States any merchandise contrary to law, or to conspire to do the same. 18 U.S.C. §§ 371 and 545. Importation of a drug in violation of the FDCA constitutes an importation contrary to law.

15. It is a crime for any person, having devised or intended to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, to transmit or cause to be transmitted by means of wire, radio, or

television communication in interstate or foreign commerce, any writings, signs, signals, pictures, or sounds for the purpose of executing such scheme or artifice. 18 U.S.C. § 1343. Further, it is a crime to conspire to commit wire fraud in violation of 18 U.S.C. § 1343. 18 U.S.C. § 1349.

16. It is a crime to transmit or transfer funds from a place in the United States to or through a place outside the United States (or vice versa) with the intent to promote certain specified unlawful activities, including importation of merchandise contrary to law in violation of 18 U.S.C. § 545. 18 U.S.C. § 1956(a)(2)(A). It is also unlawful to conspire to make such transmissions or transfers. 18 U.S.C. § 1956(h).

### **PROBABLE CAUSE**

17. I am currently investigating various websites selling unapproved and misbranded drugs online without a prescription. The investigation began in 2013 after FDA/OCI identified a Russia-based network of related websites purporting to sell prescription drugs, including Viagra, Cialis, Levitra and Actos. According to LegitScript, a company that contracts with FDA to provide internet monitoring services, the websites are part of a rogue Internet pharmacy network with many affiliated websites selling prescription drugs without a prescription. LegitScript determined that the related websites were part of the EVA Pharmacy Network of affiliated websites consisting of over 3,000 active internet pharmacy websites operated out of Russia and Eastern Europe.

18. Between 2013 and 2018, on five separate occasions, FDA/OCI agents purchased prescription drugs from websites identified as part of the EVA Pharmacy Network without providing a valid prescription. Each individual undercover purchase was made from a separate and distinct website determined to be part of the EVA Pharmacy network. The prescription

drugs received as a result of the undercover purchases were determined to be foreign unapproved versions of said drugs. Four out of the five parcels received by FDA/OCI personnel had return addresses from India. The fifth parcel's return address was in Singapore. At least two of these five undercover purchases were mailed to a Post Office Box in New Hampshire controlled by OCI.

19. In connection with at least two of those purchases, the EVA Pharmacy network utilized different email addresses to communicate with the undercover agent making the drug purchase. The different email addresses would direct the undercover agent to view the status of the order on sites such as <http://rxcustomers.com/support>, <http://fastrxservice.com/support>, [www.778.fastrxservice.com/support](http://www.778.fastrxservice.com/support) and [www.119fastrxservice.com/support](http://www.119fastrxservice.com/support). In each instance the .com/support link was followed by the same specific number that would bring the undercover agent directly to their order page on the website from which they had ordered. None of these email addresses was the Subject Email Account.

20. On or about July 14, 2020, I logged on to the website [mycanadianhealthcaremall.com](http://mycanadianhealthcaremall.com), a website identified as part of the EVA Pharmacy network. The website displayed several drugs for sale in categories such as Men's Health, Antibiotics, Pain Relief, and Antidepressants amongst others. I was able to request Lopimune, a prescription drug containing the active ingredients Lopinavir and Ritonavir that has recently been touted as a treatment for Coronavirus Disease 2019 (COVID-19). Although FDA has approved drugs containing the active ingredients Lopinavir and Ritonavir for the treatment of HIV, Lopimune is not approved by the FDA for distribution in the United States for any purpose. At no point in the transaction was I asked for, nor did I ever provide, a prescription for my purchase of Lopimune. As part of my Lopimune purchase I was offered "bonus pills" at no additional cost and had my

choice of four (4) Viagra pills or four (4) Cialis pills. Both Viagra and Cialis are prescription drugs. I chose Viagra and was directed to the checkout page. Again, I was never asked for, nor did I ever provide, a prescription for Viagra. The purchase was never consummated due to issues with my credit card.

21. On November 5, 2020, I logged on to mycanadianhealthcaremall.com and was able to purchase 60 tablets of Lopimune 200mg. At no point in the transaction was I asked for, nor did I ever provide, a prescription for my purchase of Lopimune. As part of my Lopimune purchase I was offered “bonus pills” at no additional cost and had my choice of four (4) Viagra pills or four (4) Cialis pills, both of which are prescription drugs. I chose Viagra and was directed to the checkout page. Again, I was never asked for, nor did I ever provide, a prescription for Viagra.

22. On this occasion I was able to complete the purchase using my credit card. I was directed to the ‘Order Status’ page of the website. On the Order Status page I was assigned Order Number 6309987 with tracking number RM650634299IN listed in the “Shipping” column. I know based upon my training and experience that the “IN” at the end of the tracking number indicates the parcel was mailed in India.

23. The Order Status page also indicated in part: “We have successfully charged your account for the total amount of \$315.00. This purchase will appear on account statement as: **SPORT PRO ZONE INC.** Your order id is: 6309987”.

24. After placing the order online, I received a phone call from an unidentified caller. The caller identified themselves as from “the pharmacy” and indicated they were calling to confirm my order. I agreed to the order and the call was completed.

25. On November 6, 2020, I logged on to the online banking system for my credit card. Listed on the online system was a pending charge in the amount of \$315.00, dated 11/5/2020, to “Sport Pro Zone Inc”.

26. On several occasions between November 5, 2020, and December 23, 2020, I utilized an online tracking website to determine the status of my order. Each time I inquired as to the tracking of my order, the website revealed that the parcel had initiated in “Mumbai Foreign Post Office-Booking, Item Booked” on November 11, 2020 and as of November 12, 2020, the parcel was listed as “Mumbai Airport Sorting Office, Item Bagged.” After the November 12, 2020, entry there are no other entries.

27. On December 10, 2020, I returned to my Order Status Page on the website mycanadianhealthcaremall.com and left a typed message requesting that the parcel be re-shipped as it had been in Mumbai since November 12, 2020. On that same day I received a response indicating the seller was having difficulties in their delivery department and asking that I wait seven days to receive the order or it would be reshipped or a refund would be issued, according to my decision.

28. On December 21, 2020, I again logged on to my Order Status Page on the website mycanadianhealthcaremall.com and left another typed message indicating the parcel had not been received and asking if the order could be re-shipped. Also on December 21, 2020, I received a response that the seller was ready to re-ship, but needed to confirm my shipping address. I did not respond to the message. However, later that same evening, I received a phone call from an unidentified caller. The caller identified themselves as from “the pharmacy” and asked to verify the shipping address. Upon verification of my shipping address the call was completed.



29. On December 23, 2020, a message was received in my Order Status Page on the website mycanadianhealthcaremall.com indicating that the order would be resent by International airmail to the address provided and the delivery will take 3 to 6 weeks. The same exact message also appeared in my Order Status Page on December 25, 2020. On December 28, 2020, I left a message asking for a tracking number on the re-shipped order. Later that same day I received a response stating: *"Sorry to inform you, but according to our Shipping Department data, your order was reshipped without a tracking number."* On December 30, 2020, my Order Status Page changed to "shipped" and "Est. delivery: 03 Feb."

30. On January 7, 2021, parcel RM650534299IN (the original shipment from November 5, 2020) was obtained from my shipping address, a Post Office Box in New Hampshire maintained by OCI. The parcel contained a return address of: NEW GLOBAL ENTERPRISES, 304, 3<sup>rd</sup> Floor, Ahilya Commercial Complex, Gandhibagh, Nagpur-440002 (India). The Customs Declaration Indicated "Sale of goods" and "Medicine." It was stamped NEW GLOBAL ENTERPRISES, 304 3<sup>rd</sup> Floor, Ahilya Commercial Complex, Gandibagh, Nagpur" and "Country of Origin-INDIA."

31. The Parcel contained:

1) one box labeled in part: "Lopimune, Lopinavir & Ritonavir Tablets IP. SCHEDULE H PRESCRIPTION DRUG-CAUTION-Not to be sold by retail without the prescription of a Registered Medical Practitioner. Mfd. By CIPLA LTD. Verna Indl. Estate, Goa 403 722 INDIA." Inside the box was one bottle labeled in part: "Lopinavir & Ritonavir Tablets IP Lopimune, 60 TABLETS, Mfd. by CIPLA LTD. Verma Indl. Estate, Goa 403 722 INDIA" and

2) one blister pack of four (4) blue pills engraved with “100.” The blister pack labeled in part: “Sildenafil Citrate Tablets IP, 100mg, WARNING: To be sold by retail on the prescription of a

Urologist/Psychiatrist/Endocrinologist/Venerologist/Dermatologist only.” I am aware that Sildenafil is the active pharmaceutical ingredient (API) in Viagra.

Although Viagra is approved by the FDA, the Sildenafil Citrate tablets received in the parcel were not approved by the FDA.

32. Meanwhile, on December 2, 2020 I went to the website mycanadianhealthcaremall.com and placed an order for Clozapine 200mg, and Lenalid (Revlimid) 10mg. Once again, I was offered four (4) bonus pills of either Viagra or Cialis and I chose Viagra. Clozapine, Revlimid and Viagra are all classified as prescription drugs. At no point in the transaction was I asked for, nor did I ever provide, a prescription for my purchase. I provided a delivery address of a P.O. box operated by OCI in New Hampshire.

33. Clozapine is the active pharmaceutical ingredient in several prescription drugs approved by the FDA. Clozapine is an atypical antipsychotic drug used for treatment-resistant schizophrenia and to reduce suicidal behavior in patients with schizophrenia or schizoaffective disorder. The FDA-approved labeling for drugs that contain clozapine includes a “black box” warning about the severe risks associated with the use of clozapine.<sup>1</sup> This means that any seller of this drug in the United States must include this warning on its labeling. Drugs that contain

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<sup>1</sup> A “black box” warning is FDA’s most prominent warning. It is used for certain contraindications or serious warnings, particularly those that may lead to death or serious injury. 21 C.F.R. § 201.57(c)(1).

clozapine also are subject to a Risk Evaluation and Mitigation Strategy (REMS) by the FDA.<sup>2</sup>

The REMS for clozapine is intended to address the risk of severe neutropenia, which can lead to serious and fatal infections. Under the REMS, all healthcare providers who prescribe clozapine and all pharmacies dispensing clozapine must be certified under the program and comply with certain patient blood monitoring requirements to minimize the risks of severe neutropenia. I am aware that although FDA has approved some drugs that contain clozapine as the API, based on my training and experience, drugs sold and offered for sale by foreign internet pharmacy networks are not the FDA-approved versions of those drugs.

34. Revlimid is the brand name for an FDA-approved prescription drug with the active pharmaceutical lenalidomide. Revlimid is approved by the FDA for the treatment of certain forms of lymphoma and other serious diseases. The FDA-approved labeling includes a “black box” warning due to the risks of serious birth defects, embryo-fetal death, hematologic toxicity, and venous and arterial thromboembolism. In the United States, Revlimid is also the subject of a REMS that is intended to prevent embryo-fetal exposure to the drug due to the risk of severe birth defects. Among other things, female patients of child-bearing age who are prescribed Revlimid must take a pregnancy test prior to use and use contraception while taking the drug to avoid the possibility of embryo-fetal exposure. Although FDA has approved Revlimid with the active pharmaceutical ingredient lenalidomide for use in the United States, FDA has not approved Lenalid for sale in the United States.

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<sup>2</sup> A REMS is a drug safety program that the FDA requires for certain drugs with serious safety concerns to help ensure that the benefits of the drug outweigh the risks. REMS are designed to reinforce medication use behaviors and actions that support the safe use of that drug. While all drugs have labeling that informs health care stakeholders about known risks, only a relatively small number of drugs require a REMS.

35. On December 3, 2020 I received a message in my Order Status Page on mycandandianhealthcaremall.com stating in part: “We have successfully charged your account for the total amount of \$566.50. This purchase will appear on account statement as: SPORT PRO ZONE INC. Your order id is: 6316691.” The seller also provided a tracking number of RM592412009IN and an estimated delivery date of January 14, 2021.

36. Also on December 3, 2020, I received a separate email from the email account [agnetawood@yahoo.com](mailto:agnetawood@yahoo.com) addressed to an email account maintained by me utilizing an undercover identity. The email stated in part: “We have successfully charged your account for the total amount of \$566.50. This purchase will appear on account statement as: SPORT PRO ZONE INC. Your order id is: 6316691.”

37. Sport Pro Zone Inc. is incorporated in the State of California and lists an address at 1519 6<sup>th</sup> Street, Apt. 501, Santa Monica, California. The listed Officers of the Corporation are Alex Dorogokupets as Chief Executive Officer (CEO) and Secretary. The address listed for CEO Alex Dorogokupets is the same corporate address in Santa Monica, California listed above. Aleksandr Mineev is listed as Chief Financial Officer with an address in Moscow, Russia. Alex Dorogokupets is the sole individual listed as a Director of the corporation, at the same Santa Monica corporate address.

38. On several occasions since placing the order on December 2, 2020, I utilized an online tracking website to determine the status of my order. Each time I inquired as to the tracking of my order the website revealed that the parcel had initiated in “BNPL SP Hub Mumbai, Item Booked” on December 12, 2020, and as of December 14, 2020, the parcel was listed as “Mumbai Airport Sorting Office, Item Bagged.”

39. On or about March 4, 2021, the order placed on December 2, 2020 was received at an address maintained by OCI in New Hampshire. The parcel was a small brown cardboard shipping box displays shipping number "RM592412009IN". A tracking site available to the general public indicated RM592412009IN originated in India. In addition, one side of the parcel contained the following: "DTH, 224 Sagar Ave, S.V. Road Andheri (W), Mumbai 400058 India."

40. Inside the box were nine (9) blister packs each containing 10 individually wrapped Clozapine-Sizopin tablets IP 200mg for a total of 90 tablets. The blister packs were labeled in part "Manufactured in India by sun pharma laboratories ltd." One white box was labeled in part "Lenalidomide capsules 10 mg, Made in India by NATCO Pharma limited." This box contained a white prescription labeled Lenalidomide capsules 10 mg (30 capsules). The box also contained one (1) blister pack containing 10 individually wrapped tablets. The blister pack was labeled in part "Sildenafil tablets IP 100mg."

41. FDA has approved some drugs that contain clozapine and that are manufactured by Sun Pharma for distribution in the United States. However, based on my training and experience, drugs sold and offered for sale by foreign internet pharmacy networks are not the FDA-approved versions of those drugs. Further, the lack of the required "black box" warning on the labeling indicates that the version of clozapine that I received is not the FDA-approved version. Although FDA has approved some drugs containing the API lenalidomide for distribution in the United States, FDA has not approved any drug containing lenalidomide and manufactured by NATCO for distribution in the United States.

42. On April 28, 2021, I went to the website SPORTPROZONE.COM and attempted to purchase a skateboard. The SPORTPROZONE.COM website offers skateboards as well as skateboarding accessories for sale. On April 28, 2021, I selected a skateboard selling for \$89.99

and clicked on the button marked “ADD TO CART” and then “CHECKOUT”. I was then brought to the checkout page. Visible on the CHECKOUT page were the corporate symbols for Visa, MasterCard, and American Express. On the CHECKOUT page I entered my mailing information and my Visa credit card information. Upon agreeing to the terms and conditions I then checked “PLACE ORDER”. Upon clicking on the “PLACE ORDER” button I immediately received an error message stating: “Brick error(s) Wrong card number: Since you are using a test API key, please use a test card, e.g. 4242 4242 4242 4242”. I re-entered my Visa card number and received the same error message. I attempted to complete the purchase a third time, this time utilizing a MasterCard credit card as the method of payment. Once again, after clicking upon PLACE ORDER I received the same error message as above.

43. I have tried several times to complete a purchase from SPORTPROZONE.COM, the most recent attempt on July 14, 2021. In each instance I received the same error message and was not able to complete the purchase of a skateboard.

44. I was unable to overcome the error message and therefore the purchase of the skateboard was never consummated. Based upon my training and experience I believe that the SPORTPROZONE.COM website is a fraudulent website maintained to support illicit online pharmacies through transaction laundering.

45. During August of 2021, I visited 1519 6<sup>th</sup> Street, Santa Monica, California. This is the address listed as the Business Address for Sport Pro Zone Inc. with the California Secretary of State. 1519 6<sup>th</sup> Street, Santa Monica, California is a residential apartment complex. There were no signs of any retail establishments and no indications that Sport Pro Zone Inc. operated a retail skateboard shop at that location.

46. Also during August 2021, I visited 7725 Gateway, Irvine, California. This is the

address where Bank of America mails the monthly bank statements for Sport Pro Zone Inc. 7725 Gateway, Irvine, California is also a residential complex. There were no indications of any retail establishments and no indications that Sport Pro Zone Inc operated a retail skateboard shop at that location.

47. On March 19, 2021, I went to the website [mycanadianhealthcaremall.com](http://mycanadianhealthcaremall.com) and placed an order for Female Cialis 20mg, and Prozac 60mg. Once again, I was offered four (4) bonus pills of either Viagra or Cialis and I chose Viagra. Prozac and Viagra are all classified as prescription drugs. Although FDA has approved the drugs Cialis and Prozac for distribution in the United States, based on my training and experience, I know that drugs sold and offered for sale by foreign internet pharmacy networks are not the FDA-approved versions of those drugs. Further, FDA has not approved Cialis for any use in females. At no point in the transaction was I asked for, nor did I ever provide, a prescription for my purchase. I provided a delivery address of a P.O. box operated by OCI in New Hampshire, however, I neglected to include the specific P.O. Box number in the address. Later on that same date I sent an email to [agnetawood@yahoo.com](mailto:agnetawood@yahoo.com) indicating that I neglected to include my “suite” address. [agnetawood@yahoo.com](mailto:agnetawood@yahoo.com) responded to my email indicating “Shipping address was changed”.

48. Also on March 19, 2021 I received a separate email from [agnetawood@yahoo.com](mailto:agnetawood@yahoo.com) addressed to an email account maintained by me utilizing an undercover identity. The email stated in part: “We have successfully charged your account for the total amount of \$288.90. This purchase will appear on account statement as: ECOM PLUS or 50 BLOOMS HOPE VALL. Your order id is: 6194650.”

49. On or about April 30, 2021, the order placed on March 19, 2021 was received at an address maintained by OCI in New Hampshire. The parcel was labeled from “EVA TORP,

51 NIU TUNG SQUARE SOUTH, SIP, YIK KING, HONG KONG, HONG KONG SAR”. In addition, the Customs label attached to the parcel stated “Candy”. The parcel contained nine (9) blister packs, each containing ten (10) pills. The blister packs were labeled “Tadalafil Tablets 20mg, Female UP 20 mg., Manufactured by RSM Multilink LLP. Also enclosed in the parcel was one (1) blister pack containing four (4) blue pills. That blister pack was labeled Sildigra-100, Sildenafil. The Prozac was not received in this parcel. The drugs received in this parcel were not approved by the FDA for distribution in the United States.

50. On May 3, 2021, I went to the email previously received from [agnetawood@yahoo.com](mailto:agnetawood@yahoo.com) dated March 19, 2021. Contained in that email was a link to my “personal support area”. Upon clicking on the provided link, I was brought to the Title Page for MyCanadianHealth&CareMall, contained on the website [repeatororderdiscount.com](http://repeatororderdiscount.com). From this website I placed an order for Selegiline 5mg, and Prozac 20mg. Once again, I was offered four (4) bonus pills of either Viagra or Cialis and I chose Viagra. Selegiline, Prozac, and Viagra are all classified as prescription drugs. At no point in the transaction was I asked for, nor did I ever provide, a prescription for my purchase. In addition, Prozac and Selegiline, an MAO inhibitor, are contraindicated and should not be prescribed together. Specifically, the FDA-approved labeling of Prozac advises that patients taking Prozac should not use MAO inhibitors with Prozac or within five weeks of stopping treatment with Prozac, due to a risk of serotonin syndrome, a potentially life-threatening condition. I provided a delivery address of a P.O. box operated by OCI in New Hampshire.

51. Also on May 3, 2021 I received a message in my personal support area. The message stated in part: “We have successfully charged your account for the total amount of



\$177.75. This purchase will appear on account statement as: ECOM PLUS or 50 BLOOMS HOPE VALL. Your order id is: 6200115”.

52. On or about August 30, 2021, the order placed on May 3, 2021, was received at an address maintained by OCI in New Hampshire. The order consisted of two (2) parcels. Parcel 1 was a brown cardboard box bearing tracking number RM3583496371N with a return address of 224, Sagar Ave, S.V. Road Adheri (W), Mumbai 400058 India. The parcel was stamped with a custom’s declaration listing “Fluoxetine.” Parcel 2 was a yellow USPS Express package bearing tracking #LD040631098HK with a return address of KenyattaMurazik PHD, 62 Wilcha Wai, Chun Ngou Kun, Hong Kong. The parcel was stamped with a custom’s declaration listing “Mobile parts”. Parcel 1 contained eighteen (18) blister packs, each containing ten (10) pills labeled in part “Fluoxetine capsules IP 20mg, manufactured by HAB Pharmaceuticals & Research Limited, Dosage: As directed by physician”. And one (1) blister pack containing four (4) blue pills bearing the marking “100”. Parcel 2 contained eighteen (18) blister packs, each containing ten (10) pills labeled in part “Selegiline HCL IP 5 mg Dose: As directed by the Physician, Manufactured by INTAS PHARMACEUTICALS LTD, INDIA”.

53. Although FDA has approved drugs with the active ingredient fluoxetine as prescription drugs, FDA has not approved fluoxetine manufactured by HAB Pharmaceuticals & Research Limited for use in the United States. Although FDA has approved drugs with the active ingredient selegiline as prescription drugs, FDA has not approved selegiline manufactured by INTAS Pharmaceuticals for use in the United States. Furthermore, based on my training and experience, I know that drugs sold and offered for sale by foreign internet pharmacy networks are not the FDA-approved versions of those drugs.

54. I have been unable to determine the corporate ownership of ECOM PLUS OR 50 BLOOMS HOPE VALL. I know from my credit card transaction that ECOM PLUS OR 50 BLOOMS HOPE VALL is a foreign based entity as my credit card was charged an additional fee of \$8.66 for a “foreign transaction fee.” Furthermore, a Google search on “Hope Valley SA” revealed Hope Valley is a city in South Australia.

55. On January 28, 2021, and again on April 9, 2021, United States Magistrate Judge Andrea Johnstone, District of New Hampshire, authorized a warrant to search the [agnetawood@yahoo.com](mailto:agnetawood@yahoo.com) email account. On February 9, 2021, and again on May 19, 2021, I received a response from OATH Holdings (Yahoo) in regards to the [agnetawood@yahoo.com](mailto:agnetawood@yahoo.com) email account. Each response included over thirty-five hundred (3,500) emails. The majority of the emails contained correspondence regarding orders for drugs placed by customers. The emails contained the date, amount charged to the customer, customer email account, customer name and the name of the company that would appear on the customer’s credit card. In addition, the emails contained a link to a customer service page, specifically for that individual customer’s order. These were very similar to the emails I received from the [agnetawood@yahoo.com](mailto:agnetawood@yahoo.com) email account when I placed orders.

56. I have analyzed the emails contained in the February 9, 2021 and the May 19, 2021 production. There are over thirty (30) separate companies processing credit card transactions. Included within the thirty separate companies are Sport Pro Zone Inc. and Ecom Plus or 50 Blooms Hope Vall.

57. Contained within the emails provided with the May 19, 2021 production was an email dated February 7, 2021 that contained a “Congratulations, We have successfully charged your account...” email similar to the 3,500 emails contained in each search warrant production

and also similar to the email I received upon completing my undercover purchases. This email dated February 7, 201 stated in part:

Customer: "I was over charged. I was charged \$180.34"

[agentawood@yahoo.com](mailto:agentawood@yahoo.com): "Please send a copy (a screenshot, a scan or a photo) of your credit card statement showing the charge to [complaint\\_registrar@yahoo.com](mailto:complaint_registrar@yahoo.com) (SUBJECT EMAIL ACCOUNT) so we can forward it to the bank. Thank you."

58. Also contained within the emails provided with the May 19, 2021 production was another, separate email dated February 26, 2021 that contained a "Congratulations, We have successfully charged your account..." email similar to the 3,500 emails contained in each search warrant production and also similar to the email I received upon completing my undercover purchases. This email dated February 26, 2021 stated in part:

Customer: "Hi My card was charged \$405.42 instead of \$388.40.

Please credit my account for the difference. From what country will this order be shipped? I sent a msg last week using the above link but no one has responded to my email. Please also send me tracking info. Thanks."

[agnetawood@yahoo.com](mailto:agnetawood@yahoo.com): "Please send a copy (a screenshot, a scan or a photo) of your credit card statement showing the charge to [complaint\\_registrar@yahoo.com](mailto:complaint_registrar@yahoo.com) (SUBJECT EMAIL ACCOUNT) so we can forward it to the bank."

Customer: "See attached. Please credit me difference as I've been overcharged. Thanks."

On March 15, 2021 the Customer sends a follow up email:

"Hi Please let me know about status of this credit. Thanks."

[agnetawood@yahoo.com](mailto:agnetawood@yahoo.com) responds on the same date: “We are ready to send you some additional pills to compensate the overcharge. Please advise.”

On March 29, 2021 the Customer replied: “No thank you, I have enough. I’d appreciate a refund as soon as possible. Thank you.”

59. On June 23, 2021, I submitted a Preservation Request Letter to Oath Holdings for the Subject Account. Later I received an email notification that my request had been submitted and was assigned a reference number.

60. According to information obtained from Oath Holdings the Subject Account was first registered on 2009-09-08 by Alexandra Meyer in the country of Luxembourg. No other account identifying information such as address, recovery emails, or recovery phones were provided.

61. Oath Holdings also provided a listing of recent IP addresses utilized to log into the Subject Account. The most recent information available from Oath Holdings indicated a login on June 20, 2021 from the IP address 185.164.35.5. Prior to that date the previous logins were on June 03, 2021 from the IP address 194.5.235.149, and then May 20, 2021 from the IP address 45.67.116.251. The login information provided by Oath Holdings dates back to December 07, 2020 and there were a total of fifteen logins. Each login was conducted by one of the three IP addresses mentioned above. I am familiar with each of the three IP addresses utilized to log in to the Subject Account between December 07, 2020 and June 20, 2021 (last data provided by Oath Holdings). Each of the three IP addresses utilized to access the Subject Account are the same IP addresses previously identified by Oath Holdings as IP addresses utilized to log into the [agnetawood@yahoo.com](mailto:agnetawood@yahoo.com) account for the time frame of February 1, 2021 through April 8, 2021.

62. In my training and experience I am aware that entities involved in the processing of credit cards for illegal sales and services will utilize tactics such as incorporating shell companies that are designed to appear as if they are processing legitimate revenue. The shell companies are then utilized to process fraudulent, illegal, or prohibited transactions through accounts associated with those companies (a practice known as “transaction laundering”). In many instances the shell companies submit merchant applications to Visa and MasterCard that contain false information as to the true nature of the businesses that would be transacted and that might both signal illegal activity or otherwise cause a financial institution to suspend a merchant account. Simply because the name Sport Pro Zone Inc. does not correlate to the online pharmacy business for which it processes payments, I believe that the company may be designed to hide the illicit nature of the business. Additionally, based on my training and experience, I know that illicit online pharmacies that cater to U.S. customers frequently use payment processors located in the United States to avoid detection by law enforcement and then use those companies to send funds more discretely out of the country to hide the illegal nature of the business.

63. I believe that Alex Dorogokupets and others, utilizing Sport Pro Zone Inc, Ecom Plus or 50 Blooms Hope Vall, the agnetawood@yahoo.com email account, the Subject Email Account, and the EVA Pharmacy Network, have engaged in a wide-ranging conspiracy to commit the Target Offenses, and have aided and abetted others’ commission of the Target Offenses, through the processing of payment card transactions on behalf of online websites. Further, there is probable cause to believe that the Subject Email Account contains fruits, evidence, and instrumentalities of the Target Offenses.

**BACKGROUND CONCERNING EMAIL**

64. In general, an email that is sent to an Oath Holdings Inc. subscriber is stored in the subscriber's "mailbox" on Oath Holdings Inc.'s servers until the subscriber deletes the email. If the subscriber does not delete the message, the message can remain on Oath Holdings Inc.'s servers indefinitely. Even if the subscriber deletes the email, it may continue to be available on Oath Holding Inc.'s servers for a certain period of time.

65. In my training and experience, I have learned that Oath Holding Inc. provides a variety of on-line services, including electronic mail ("email") access, to the public. Oath Holdings Inc. allows subscribers to obtain email accounts at the domain name yahoo.com like the email account listed in Attachment A. Subscribers obtain an account by registering with Oath Holdings Inc. During the registration process, Oath Holdings Inc. asks subscribers to provide basic personal information. Therefore, the computers of Oath Holdings Inc. are likely to contain stored electronic communications (including retrieved and unretrieved email for Oath Holdings Inc. subscribers) and information concerning subscribers and their use of Oath Holdings Inc. services, such as account access information, email transaction information, and account application information. In my training and experience, such information may constitute evidence of the crimes under investigation because the information can be used to identify the account's user or users.

66. An Oath Holdings Inc. subscriber can also store with the provider files in addition to emails, such as address books, contact or buddy lists, calendar data, pictures (other than ones attached to emails), and other files, on servers maintained and/or owned by Oath Holdings Inc. Oath Holdings Inc. also provides a service called "Yahoo Messenger" which allows people with a Yahoo email account to exchange instant messages with other users. In my

training and experience, evidence of who was using an email account may be found in address books, contact or buddy lists, email in the account, instant messages sent or received by the account holder, and attachments to emails, including pictures and files.

67. In my training and experience, email providers generally ask their subscribers to provide certain personal identifying information when registering for an email account. Such information can include the subscriber's full name, physical address, telephone numbers and other identifiers, alternative email addresses, and, for paying subscribers, means and source of payment (including any credit or bank account number). In my training and experience, such information may constitute evidence of the crimes under investigation because the information can be used to identify the account's user or users. Based on my training and my experience, I know that, even if subscribers insert false information to conceal their identity, this information often provides clues to their identity, location, or illicit activities.

68. In my training and experience, email providers typically retain certain transactional information about the creation and use of each account on their systems. This information can include the date on which the account was created, the length of service, records of log-in (*i.e.*, session) times and durations, the types of service utilized, the status of the account (including whether the account is inactive or closed), the methods used to connect to the account (such as logging into the account via the provider's website), and other log files that reflect usage of the account. In addition, email providers often have records of the Internet Protocol address ("IP address") used to register the account and the IP addresses associated with particular logins to the account. Because every device that connects to the Internet must use an IP address, IP address information can help to identify which computers or other devices were used to access the email account.

69. In my training and experience, in some cases, email account users will communicate directly with an email service provider about issues relating to the account, such as technical problems, billing inquiries, or complaints from other users. Email providers typically retain records about such communications, including records of contacts between the user and the provider's support services, as well as records of any actions taken by the provider or user as a result of the communications. In my training and experience, such information may constitute evidence of the crimes under investigation because the information can be used to identify the account's user or users.

70. As explained herein, information stored in connection with an email account may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, the information stored in connection with an email account can indicate who has used or controlled the account. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, email communications, contacts lists, and images sent (and the data associated with the foregoing, such as date and time) may indicate who used or controlled the account at a relevant time. Further, information maintained by the email provider can show how and when the account was accessed or used. For example, email providers typically log the Internet Protocol (IP) addresses from which users access the email account, along with the time and date of that access. By determining the physical location associated with the logged IP addresses, investigators can understand the chronological and geographic context of the email account access and use relating to the crime under investigation. This geographic and timeline information may tend to either



inculcate or exculpate the account owner. Additionally, information stored at the user's account may further indicate the geographic location of the account user at a particular time (*e.g.*, location information integrated into an image or video sent via email). Last, stored electronic data may provide relevant insight into the email account owner's state of mind as it relates to the offense under investigation. For example, information in the email account may indicate the owner's motive and intent to commit a crime (*e.g.*, communications relating to the crime), or consciousness of guilt (*e.g.*, deleting communications in an effort to conceal them from law enforcement).

### **CONCLUSION**

71. Based on the forgoing, I request that the Court issue the proposed search warrant.

72. Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant. The government will execute this warrant by serving the warrant on Oath Holdings Inc. Because the warrant will be served on Oath Holdings Inc., who will then compile the requested records at a time convenient to it, reasonable cause exists to permit the execution of the requested warrant at any time in the day or night.

Respectfully submitted,

Dated: October 1, 2021

/s/ Jason Rameaka  
Jason Rameaka  
Special Agent  
Food and Drug Administration, OCI

The affiant appeared before me by telephonic conference on this date pursuant to Fed. R. Crim. P.4.1 and affirmed under oath the content of this application and affidavit

Date: Oct 1, 2021

Time: 10:19 AM, Oct 1, 2021

*Andrea K. Johnstone*



Hon. Andrea K. Johnstone  
United States Magistrate Judge

**ATTACHMENT A**

**Property to Be Searched**

This warrant applies to information associated with [complaint\\_registrar@yahoo.com](mailto:complaint_registrar@yahoo.com) (“The Subject Account”) that is stored at premises owned, maintained, controlled, or operated by Oath Holdings Inc., an email provider headquartered at 701 First Avenue, Sunnyvale, California.

**ATTACHMENT B**

**Particular Things to be Seized**

**I. Information to be disclosed by Oath Holdings, Inc. (the “Provider”)**

To the extent that the information described in Attachment A is within the possession, custody, or control of the Provider, regardless of whether such information is located within or outside of the United States, and including any emails, records, files, logs, or information that has been deleted but is still available to the Provider, the Provider is required to disclose the following information to the government for each account or identifier listed in Attachment A:

- a. The contents of all emails associated with the account from January 28, 2021, to the present, including stored or preserved copies of emails sent to and from the account, draft emails, the source and destination addresses associated with each email, the date and time at which each email was sent, and the size and length of each email;
- b. All records or other information regarding the identification of the account, to include full name, physical address, telephone numbers and other identifiers, records of session times and durations, the date on which the account was created, the length of service, the IP address used to register the account, log-in IP addresses associated with session times and dates, account status, alternative email addresses provided during registration, methods of connecting, log files, and means and source of payment (including any credit or bank account number);
- c. The types of service utilized;
- d. All records or other information stored by an individual using the account, including address books, contact and buddy lists, calendar data, pictures, communications sent and received over Yahoo Messenger and files; and

e. All records pertaining to communications between the Provider and any person regarding the account, including contacts with support services and records of actions taken.

The Provider is hereby ordered to disclose the above information to the government within fourteen (14) days of issuance of this warrant.

## **II. Information to be seized by the government**

All information described above in Section I that constitutes fruits, evidence, and instrumentalities of violations of Title 21, United States Code, §§ 331(a), 331(d) (introduction or delivery for introduction of misbranded and unapproved new drugs into interstate commerce), and Title 18, United States Code, §§ 371, 1343, 1349, and 545 (conspiracy, wire fraud and importation contrary to law), 1956(a)(2), and 1956(h) (money laundering and money laundering conspiracy) that have been committed by Alex Dorogokupets, Ecom Plus or 50 Blooms Hope Vall and other known or unknown co-conspirators and occurring after January 28, 2021, including, for each account or identifier listed on Attachment A, information pertaining to the following matters:

- A. The unlawful sale, purchase, shipment, importation, holding, processing, packaging, labeling and/or distribution of drugs, including misbranded drugs and unapproved new drugs;
- B. The source and manufacture of drugs, any person or entity in the chain of distribution of drugs, any person or entity involved in collecting and/or distributing the proceeds of the sale of drugs;
- C. Financial transactions related to the distribution of drugs, including, but not limited to the transfer of funds from a place in the U.S. to or through a place outside the U.S. (or vice versa);
- D. Communication between or among the Subject Account and agnetawood@yahoo.com, Alex Dorogokupets, Ecom Plus or 50 Blooms Hope Vall and other unknown co-conspirators and suspected potential or actual customers of the EVA Pharmacy network to include mycanadianhealthcaremall.com;

- E. Communication between or among the Subject Account and agnetawood@yahoo.com, Alex Dorogokupets, Ecom Plus or 50 Blooms Hope Vall, and other known or unknown co-conspirators and suspected potential or actual suppliers of drug products;
- F. The source, transfer, or disposition of funds belonging to the Subject Account, agnetawood@yahoo.com, Alex Dorogokupets, Ecom Plus or 50 Blooms Hope Vall, and other known or unknown co-conspirators;
- G. The travel or whereabouts of the Subject Account, agnetawood@yahoo.com, Alex Dorogokupets, Ecom Plus or 50 Blooms Hope Vall, and other known or unknown co-conspirators;
- H. The identity, location, and ownership of any computers used to access the Subject Account or any associated e-mail accounts;
- I. Other e-mail or internet accounts providing internet access or remote data storage used by the Subject Account, agnetawood@yahoo.com, Alex Dorogokupets, Ecom Plus or 50 Blooms Hope Vall and other known or unknown co-conspirators;
- J. The existence and identity of any co-conspirators;
- K. Evidence indicating how and when the Subject Account was accessed or used, to determine the geographic and chronological context of account access, use, and events relating to the crime under investigation and to the email account owner;
- L. Evidence indicating the Subject Account owner's state of mind as it relates to the crime under investigation; and
- M. The identity of the person(s) who created or used the user ID, including records that help reveal the whereabouts of such person(s).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC  
RECORDS PURSUANT TO FEDERAL RULES OF  
EVIDENCE 902(11) AND 902(13)**

I, \_\_\_\_\_, attest, under penalties of perjury by the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this certification is true and correct. I am employed by Oath Holdings Inc. and my title is \_\_\_\_\_. I am qualified to authenticate the records attached hereto because I am familiar with how the records were created, managed, stored, and retrieved. I state that the records attached hereto are true duplicates of the original records in the custody of Oath Holdings Inc. The attached records consist of \_\_\_\_\_ (pages/CDs/megabytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth by, or from information transmitted by, a person with knowledge of those matters, they were kept in the ordinary course of the regularly conducted business activity of Oath Holdings Inc., and they were made by Oath Holdings Inc. as a regular practice; and

b. such records were generated by Oath Holdings Inc.'s electronic process or system that produces an accurate result, to wit:

1. the records were copied from electronic device(s), storage medium(s), or file(s) in the custody of Oath Holdings Inc. in a manner to ensure that they are true duplicates of the original records; and



2. the process or system is regularly verified by Oath Holdings Inc., and at all times pertinent to the records certified here the process and system functioned properly and normally.

I further state that this certification is intended to satisfy Rules 902(11) and 902(13) of the Federal Rules of Evidence.

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Date

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Signature